



UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/816,014	03/23/2001	Bernd Scholler	6056-000039

27572

HARNESSE, DICKEY & PIERCE, PLC  
5445 CORPORATE DRIVE, SUITE 400  
TROY, MI 48098

CONFIRMATION NO. 8518

FORMALITIES LETTER



\*OC000000006041163\*

Date Mailed: 05/04/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

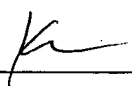
*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/09/2001 MYUSUF1 00000108 09816014

01 FC:205

65.00 OP

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

App. for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# **FEE TRANSMITTAL**

JUL 02 2001

U.S. PATENT & TRADEMARK OFFICE

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT (\$)** 105

## **Complete if Known**

Application Number 09/816,014

Filing Date March 23, 2001

First Named Inventor Bernd Schöller et al

Examiner Name

Group / Art Unit 3761

Attorney Docket No. 6056-000039

## **METHOD OF PAYMENT (check one)**

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number

08-0750

Deposit Account Name

Harness, Dickey & Pierce, P.L.C.

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

## **FEE CALCULATION**

### **1. BASIC FILING FEE**

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

**SUBTOTAL (1)**

(\$ 0)

### **2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee below	Fee Paid
	0		0
Independent Claims	Extra Claims	Fee below	Fee Paid
	0		0
Multiple Dependent	Extra Claims	Fee below	Fee Paid
			0

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$ 0)

## **FEE CALCULATION (continued)**

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$ 105)

\*\*or number previously paid, if greater; For Reissues, see above

## **SUBMITTED BY**

Name (Print/Type)	Richard L. Carlson	Registration No. Attorney/Agent	27663	Telephone	248 641-1600
Signature				Date	June 28, 2001

## **Complete (if applicable)**

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 6056-000039

Group Art Unit 3761 )  
Examiner: )  
Inventors: Bernd Schöller et al )  
Serial No. 09/816,014 )  
Filed: March 23, 2001 )  
For: Procedure For The Control )  
Of A Respirator Device )  
As Well As Apparatus )  
For Monitoring )

**TRANSMITTAL OF ORIGINAL  
DECLARATION, ASSIGNMENT  
AND VERIFIED STATEMENT  
CLAIMING SMALL ENTITY  
STATUS**

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on

By  , Attorney for Applicant

Hon. Commissioner of Patents and Trademarks  
Washington, D. C. 20231

Sir:

Pursuant to the "Notice To File Missing Parts Of Nonprovisional Application - Filing Date Granted" mailed May 4, 2001, enclosed is the originally signed Declaration and Power of Attorney in the above identified application along with a copy of the Notice.

Also enclosed for recordal is an Assignment of this application with attached cover sheet. Please record this Assignment and return it to us at your convenience.

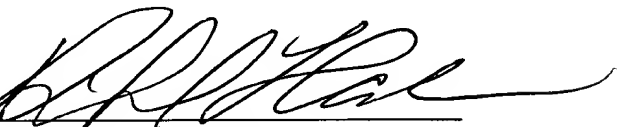
Additionally enclosed for filing in this application is an executed Verified Statement Claiming Small Entity Status - Small Business Concern to which this application is entitled. Please enter this into the file.

Enclosed is our check in the amount of \$105.00 to cover the fees associated with the late filing of the Declaration (\$65.00) and the assignment recordal fee (\$40.00).

If, for some reason, applicant has not paid a sufficient fee to prevent the abandonment of this application, please charge our Deposit Account No. 08-0750 for any further fees which may be due. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

By:



Richard L. Carlson  
Reg. No. 27863  
Attorney for Applicants

Harness, Dickey & Pierce, P.L.C.  
P. O. Box 828  
Bloomfield Hills, MI 48303  
(248) 641-1600

June 28, 2001  
RLC/jb  
Enclosures